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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

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16 UNITED STATES OF AMERICA, } CR No. 08-276 MHP
17 Plaintiff, } STIPULATION AND [PROPOSED] ORDER
18 v. } EXCLUDING TIME UNDER 18 U.S.C. § 3161
19 GILBERTO NARANJO AVILA, }
20 Defendant. }
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22 On May 12, 2008, the parties in this case appeared before the Court for their initial status
23 conference before the Court. The parties will appear before the Court again on June 2, 2008.
24 The parties now request that the Court exclude all time under the Speedy Trial Act between May
25 12, 2008 and June 2, 2008 because the government produced additional documents to defense
26 counsel on May 12, 2008. The parties agree that the length of the continuance is the reasonable
27 time necessary for preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv).

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1 The parties also agree that the ends of justice served by granting such a continuance outweigh
2 the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

4 SO STIPULATED:

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6 JOSEPH P. RUSSONIELLO
United States Attorney

8 DATED: May 13, 2008

/s/

9 TAREK J. HELOU
Assistant United States Attorney

11 DATED: May 13, 2008

/s/

12 ELIZABETH M. FALK
Attorney for Defendant GILBERTO NARANJO AVILA

14 For the reasons stated above, the Court finds that exclusion of time from May 12, 2008
15 through June 2, 2008 is warranted and that the ends of justice served by the continuance
16 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161
17 (h)(8)(A). The failure to grant the requested continuance would deny the defendant effective
18 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C.
19 §3161(h)(8)(B)(iv).

21 SO ORDERED.

23 DATED: 5/14/2008

